

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

(X) Original    () Supplemental    () Substitute    () PCT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**VACCINES FOR MYCOPLASMA BOVIS AND METHODS OF USE**", which is described and claimed in the specification

(check one)    ☐ which is attached hereto, or  
                   ☒ which was filed on November 8, 2000, as United States Application No. 09/708,352 and with amendments through (if applicable), or  
                   ☐ in International Application No. PCT/, filed , and as amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known by me to be material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119 (a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) or §365(b) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATIONS: (ENTER BELOW IF APPLICABLE)			PRIORITY CLAIMED (MARK APPROPRIATE BOX BELOW)	
APP. NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	YES	NO

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE
60/164,286	11/8/99

EV 332525 192US

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information known by me to be material to the patentability of the claims of this application as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS (MARK APPROPRIATE COLUMN BELOW)		
		PATENTED	PENDING	ABANDONED

I hereby appoint the following attorneys and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



23859

PATENT TRADEMARK OFFICE

Address all telephone calls to Gwendolyn D. Spratt at telephone no. (404) 688-0770.

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 Atlanta, Georgia 30303-1811

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: JOAN D. LEONARD

Inventor's signature:

Joan D. Leonard

Date: Feb. 16, 2001

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Post Office Address: 28 26495 28495 W. 110th Street, Olathe, KS 66061

Citizenship: United States of America

Full name of second inventor: ROBERT W. TULLY

Inventor's signature:

Robert W. Tully

Date: 16 Feb 2001

Residence: 697 W. Cedar Street, Olathe, KS 66061

Post Office Address: 697 W. Cedar Street, Olathe, KS 66061

Citizenship: United States of America

**STATEMENT UNDER 37 CFR 3.73(b)**

**Applicant:** Joan D. LEONARD et al.

**Application No.:** divisional of 09/708,352

**Filed:** herewith

**Entitled:** Vaccines For Mycoplasma Bovis And Methods of Use

**Biomune Company, a corporation,**

**states that it is:**

1. ☒ the assignee of the entire right, title and interest; or
2. ☐ an assignee of an undivided part interest

**in the patent application identified above by virtue of either:**

A. ☒ An assignment from the inventor(s) of U.S. Patent Application Serial No. 09/708,352, from which the current application is a divisional. The assignment was recorded in the Patent and Trademark Office at Reel 011793, Frame 0692.

**OR**

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: i) : \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

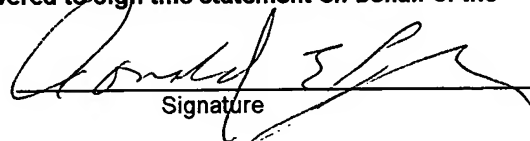
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on the supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

**The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.**

11/24/03  
Date

  
Signature

Ronald E. Plylar

**Title: President, Biomune Company**

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**POWER OF ATTORNEY BY ASSIGNEE  
OF ENTIRE INTEREST**

Docket Number:

12780/102

Application No.

Divisional of 09/708,352

Filing Date

herewith

Examiner

To be assigned

Art Unit

To be assigned

Invention Title

**VACCINES FOR MYCOPLASMA BOVIS AND  
METHODS OF USE**

Inventor(s)

**Joan D. LEONARD et al.**

Address to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

As assignee of the entire interest of the above-identified application by virtue of an executed Assignment recorded in the U.S. Patent and Trademark Office on May 10, 2001, Reel 011793, Frame 0692, the following attorneys and/or agents are hereby appointed to prosecute and transact all business in the Patent and Trademark office connected therewith:

**Stuart J. Sinder (Reg. No. 25,377)**

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Biomune Company

Date:

11/24/03

By:

Ronald E. Plylar

Name: Ronald E. Plylar  
Title: President